

June 13, 2006



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 9609
(FIFTH REVISION)

EXPIRATION DATE: May 31, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Applied Companies
Valencia, CA
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, mark, sale and use of certain non-DOT specification pressure vessel, conforming with all regulations applicable to DOT specification 39, except as specified herein, for the transportation in commerce of the materials authorized by this special permit. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.302a(a)(1) and § 175.3 in that non-DOT specification cylinders are not authorized, except as specified herein.
5. BASIS: This special permit is based on the application of Applied Companies dated June 5, 2006, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Material Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Air, compressed	2.2	UN1002	n/a
Argon, compressed	2.2	UN1006	n/a
Helium, compressed	2.2	UN1046	n/a
Nitrogen, compressed	2.2	UN1066	n/a

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packaging is a welded non-DOT specification non-reusable, non-refillable steel toroidal pressure vessel having a 10.8 cubic inch nominal capacity and a 10,000 psi service pressure, in compliance with DOT 39 Specification (§§ 178.35 and 178.65) except as follows:

§ 178.65(b) *Material.*

Steel must be in conformance with AISI 4130 and § 178.44(b).

§ 178.65(c) *Manufacture.*

(4) (Added) All pressure welds to be subjected to magnetic particle inspection and 100 percent radiographic inspection.

§ 178.65(f) *Pressure tests.*

(1) * * *

(2) * * *

(i) A failure occurs at a gauge pressure less than 25,250 psig.

(ii) thru (iv) * * *

June 13, 2006

(3) A lot is defined as the quantity of cylinders not exceeding 1000 successively produced per production shift (not exceeding 10 hours) having identical size, design, construction, material, heat treatment, finish and quality.

§ 178.65(g) *Flattening test.*

* * *

(4) Cylinders or test rings must not crack when flattened so that their outer surfaces are not more than 10 times the wall thickness apart.

(5) * * *

§ 178.65(i) *Markings.*

Applies except use "DOT-SP 9609" in lieu of "DOT 39".

b. OPERATIONAL CONTROLS - Toroids covered by this special permit are authorized for use only as components of military missile systems.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modifications or changes are made to the package and it is offered for transportation in conformance with this special permit and the HMR.

c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

d. Each packaging manufactured under the authority of this special permit must be marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.

June 13, 2006

- e. A current copy of this special permit must be maintained at each facility where the package is manufactured under this special permit. It must be made available to a DOT representative upon request.
- f. A copy of the inspector's report required in § 178.35(g) covering the initial lot of produced must be submitted to the Associate Administrator for Hazardous Materials Safety (AAHMS) prior to shipment.
- g. Packagings permanently marked 'DOT-E 9609', prior to October 1, 2007 may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packagings marked on or after October 1, 2007 must be marked 'DOT-SP 9609'.
- h. Shipping papers displaying 'DOT-E 9609' may continue to be used until October 1, 2007, provided the special permit remains valid.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo aircraft only.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper must furnish a current copy of this special permit to the air carrier before or at the time the shipment is tendered.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

June 13, 2006

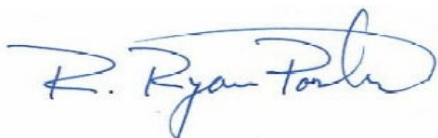
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when the special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:

A handwritten signature in blue ink, appearing to read "R. Ryan Foster" or similar, with a stylized, cursive script.

for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: sln